



Department of Consumer Protection

FACT SHEET: Health Clubs — Buying a Better Body

Fitness is big business; the number of health clubs springing up testifies to that. But the number of clubs *closing* and leaving customers holding their gym bags in front of locked doors is a big concern.

No one can prevent a health club from closing, but there are things you can learn and do to help you make wise decisions and avoid problems.

Know That Health Clubs Must Be Licensed

All businesses offering facilities for physical fitness or well-being in return for a fee of more than 30 days payment in advance, or which sign you up for more than 30 days at a time, must be licensed by the Department of Consumer Protection (DCP). This includes health spas, sports and health clubs, tennis clubs, figure salons, self-defense clubs, golf and tennis clubs, racquetball courts and platform tennis clubs.

Investigate Carefully Before Joining

Visit the club during the hours you would normally use it.

- Notice whether the facilities are clean and well-maintained, and check the condition of the equipment. Are the showers in good working order? (You should file complaints about unsanitary conditions with local health officials.)
- Ask about trial periods. Is there sometime when you can sample the services and equipment for free?
- Ask about the number of members. Many clubs set no membership limits. While the facility may not be crowded when you visit, it may be packed during peak hours or after a membership drive.

- Learn the club's hours of operation. Some clubs restrict men's use to certain days and times, and women's to others. Some may limit lower-cost memberships to certain hours. Is baby-sitting available if you need it?
- Ask about the club's instructors and trainers. Some facilities hire trainers and instructors who have special qualifications. If you're looking for professionals to help you, ask about staff qualifications and turnover.
- Talk to current members who have been there for awhile.
- Ask yourself if this particular club is right for you. A swimming pool may be a dramatic selling point, but if you don't swim, it's not worth paying for!

Know That You Have the Right to a Written Contract at the Time You Sign It

- The contract must include a notice that you have the right to cancel within three business days if you change your mind; it must also inform you of the proper cancellation procedures.
- Your contract must contain a notice of your right to cancel the contract if the club moves or closes down.
- A list of all contract prices and equipment must be posted where you sign the contract. This information must also be included in the contract itself.
- The maximum length of time a contract may run is two years. *No Lifetime Memberships!*

Know Your Membership Rights

- You have the right to a prorated refund if you move more than 25 miles away from the facility where you signed the contract.
- If you become disabled, you have the right to a prorated refund, with proper medical documentation.
- You also have the right to a refund if the club you joined moves to a new location.

The Health Club Guaranty Fund

All licensed health clubs operating in Connecticut must contribute an annual fee to this fund, which is administered by the Department of Consumer Protection. This pool of money is held in reserve by DCP to aid consumers who lose money when a club closes unexpectedly.

If your club shuts down without warning, call the Department of Consumer Protection for a complaint form, or download one from our website at <http://www.state.ct.us/dcp/>

You may also write to the Department for a special application to the Guaranty Fund, which you may file if the health club does not pay your claim.

In order for DCP to consider your claim to the Guaranty Fund, you must apply to the Fund within six months of the date of the health club's closing, and you must provide evidence of your payments and membership.

Once six months have passed following a club's closing, the Department will hold a hearing and the DCP Commissioner will issue an order to distribute money from the Guaranty Fund on a prorated basis to former club members who qualify for restitution.

Please feel free to contact the Department of Consumer Protection, Trade Practices Division at 860-713-6125 or toll-free at 1-800-842-2649 for further information.